

panied by a receipt of the Director of Finance showing payment to the County of a filing fee of fifty dollars, or such other amount as may be established by regulation in writing of the County Executive, such fee to cover the cost of advertisement in the newspaper and providing a transcript of the testimony at the hearing. No such fee shall be refunded.

**75-33. Applicant to file certain certificates.**

No license shall be issued under this Division unless the following certificates have been filed with the Department of Inspection and Licenses; provided, that the following certificates shall not be required for renewal of a license unless there has been some alteration or change in the plans and specifications after the granting of the initial license.

**75-34. Hearing on application.**

(b) Record; adjournments. There shall be a complete stenographic transcript of the testimony at the hearing, and all exhibits offered will become a part of the record. All zoning maps and any sectional or district Zoning Plan, as well as any sectional or regional or district highway plan adopted by the Commission for the general area of the property proposed to be used as an outdoor theater, shall be considered a part of the record whether actually submitted as an exhibit at the hearing or not. The hearing may be adjourned from time to time on a date certain on public announcement at the hearing.

**75-35. Decision on application.**

An application for an outdoor theater license shall be decided on its merits. The application shall either be approved, denied or dismissed or allowed to be withdrawn. A decision shall be rendered within sixty days after the hearing by the Council, unless such time is extended. The hearing shall be conducted by the Council, or the Council may by resolution authorize and appoint an administrative board, Hearing Examiner, or the Board of Appeals to conduct the hearing, and to make recommendation as to denial or approval and conditions therefor.

**75-39. Transfer.**

A license issued under this division shall not be transferable without approval of the Department of Inspection and Licenses.

*Section 8.* Sections 80-1, titled "Permit to establish, operate, etc., generally—Required," 80-2, titled "Same—Application for permit generally; information to be shown," 80-3, titled "Same—Public hearing on application; notice," 80-7, titled "Same—Reason for refusal of permit," and 80-8, titled "Revocation or suspension of permit or license," of Chapter 80, titled "Cemeteries and Burials," of the Montgomery County Code 1965, are hereby repealed and re-enacted, with amendments, to read as follows:

**80-1. Permit to establish, operate, etc., generally—Required.**

No person shall establish, open, sell lots in or operate any cemetery, graveyard or burial ground within the County without first obtaining a permit therefor from the County.

**80-2. Same—Application for permit generally; information to be shown.**

Any person seeking to open, establish, sell lots in or operate any cemetery, graveyard or burial grounds within the County shall first make application to the County for a permit to establish and operate such enter-